

**ENTERED**

April 18, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

OMAR FERMIN RIVERA,

Petitioner,

§

§

§

V.

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§

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CIVIL ACTION NO. B-14-098

CRIMINAL NO. B-13-058-1

UNITED STATES OF AMERICA

Respondent.

§

## **ORDER**

Pending is the Magistrate Judge's March 22, 2016, Report and Recommendation in the above-referenced cause of action. [Doc. No. 7] No objections have been lodged by either side and the time for doing so has expired.

Having reviewed all of the pleadings and the Report and Recommendation for plain error and having found none, it is the opinion of the Court that the Magistrate Judge's Report and Recommendation is hereby adopted. Therefore, it is ordered that Omar Fermin Rivera's Motion to Vacate, Set Aside or Correct Sentence pursuant to 28 U.S.C. § 2255 [Doc. No. 1] is denied, and the issuance of a Certificate of Appealability is denied.

Signed this 18<sup>th</sup> day of April, 2016.



Andrew S. Hanen  
United States District Judge